IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7601 OF 2006

Samasta Mahar Samaj of Village Bambavade ...Petitioners

v/s

Sarpanch of Village Bambavade and others ...Respondents

Mr S.B. Deshmukh for Petitioners.

Mr Anilkumar Patil for Respondent No.1.

Mr A.S. Palekar, A.G.P. for Respondent No.2.

CORAM : D.K. DESHMUKH J.

DATE : 6TH JULY 2007.

P.C. :-

1. By this petition, the petitioners challenge the order passed by the revenue authority rejecting their application for declaring land in survey No.76/271 of Village Bambavade as Mahar Watan land. Admittedly, it is Government land. In the revenue record, it is shown as Government fallow land. The authorities below have found that though the applicants were seeking declaration of that land as Mahar Watan land, they have not been able to produce any evidence to show that at any point of time, this land was treated as Mahar Watan land. The petitioners have relied on a document which shows that initially an entry was taken in the record showing the land as Mahar Watan land but that entry was struck off and the land is shown as Government fallow land. It appears that the entry was made by mistake and it was corrected by striking out that entry, in its place making an entry that it is Government fallow land. No other document is produced in support of the claim of the petitioners that the land was treated as Mahar Watan land. Whether the land at any point of time was Mahar Watan land is a finding of fact and as the authorities below have recorded a finding of fact that it was not Mahar Watan land and it was always Government fellow land, in my opinion, any interference at the hands of

this Court is not called for. Petition is rejected.

. Parties to act on the copy of this order duly authenticated by the Sheristedar / Private Secretary as true copy.

. Certified copy expedited.